



State of Wisconsin  
Governor Scott Walker

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**Department of Agriculture, Trade and Consumer Protection**  
Ben Brancel, Secretary

December 7, 2015

Marquette County Zoning  
Tom Onofrey, Administrator  
77 West Park Street, Room  
104 Montello, WI 53949

Dear Tom:

**Re: Certification of the Marquette County Farmland Preservation Plan**

Attached is a department order certifying Marquette County's Farmland Preservation Plan under s. 91.16, Wis. Stats. The plan text and maps must be adopted by the County Board before June 30, 2016. Please forward the resolution adopting the plan materials to [DATCPWorkinglands@wisconsin.gov](mailto:DATCPWorkinglands@wisconsin.gov) to complete the certification process.

We look forward to working with you in the future on farmland preservation in Marquette County. If you have any questions, feel free to contact me.

Sincerely,

Alison Volk  
Land Management Section  
608-224-4634

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**STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION**

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<b>MARQUETTE COUNTY FARMLAND PRESERVATION PLAN</b>	<b>DATCP DOCKET NO. 15-F-91-39-PCA</b> <b>DARM DOCKET NO. 077-00000-P-15 F-1215</b> <b>ORDER CERTIFYING PLAN THROUGH DECEMBER 31, 2025.</b>
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**INTRODUCTION**

Marquette County has asked the Department of Agriculture, Trade and Consumer Protection (“DATCP”) to certify a proposed comprehensively revised county farmland preservation plan pursuant to s. 91.16, Wis. Stats. DATCP has considered the request and adopts the following decision:

**FINDINGS OF FACT**

(1) DATCP is an agency of the State of Wisconsin, and is responsible for administering Wisconsin’s farmland preservation law under ch. 91, Wis. Stats., as repealed and recreated by 2009 Wis. Act 28.

(2) Marquette County is a county of the State of Wisconsin.

(3) In order for a county and its residents to participate in the farmland preservation program, a county must have a state-certified farmland preservation plan. Among other things, the certified plan must clearly designate farmland preservation areas that the county plans to preserve for agricultural use.

(4) Marquette County has a state-certified farmland preservation plan that expires on December 31, 2015.

(5) Under s. 91.16(8), Wis. Stats., the certification of a farmland preservation plan does not cover any subsequent plan revision (adopted after July 1, 2009) unless DATCP certifies that plan revision.

(6) On September 8, 2015, DATCP received from Marquette County a request to certify a comprehensively revised county farmland preservation plan under s. 91.16, Wis. Stats. The county submitted the application in the form required under s. 91.20, Wis. Stats. The application included the certifications required under s. 91.20(3), Wis. Stats. In subsequent communications between DATCP and Marquette County staff, it was agreed that Marquette County would be given additional time to amend its farmland preservation plan.

(7) Under s. 91.16(3)(a), Wis. Stats., DATCP may certify a county plan based on the county’s certification under s. 91.20(3), Wis. Stats., that the plan meets applicable certification standards under s. 91.18, Wis. Stats.

(8) DATCP may certify a farmland preservation plan if the plan meets applicable statutory standards under s. 91.18, Wis. Stats. DATCP may certify based on the representations contained in the county’s application, but may conduct its own review and verification as it deems appropriate.

(9) Under s. 91.10(2), Wis. Stats., the farmland preservation plan must be consistent with the Marquette County Comprehensive Plan, and the County must include the farmland preservation plan in the County

Comprehensive Plan.

(10) Under s. 91.16(2)(a), Wis. Stats., DATCP may certify a county farmland preservation plan for a specified period of up to 10 years. Under s. 91.16(6), Wis. Stats., DATCP may make its certification contingent upon the county adoption of the certified plan text and maps, in the form certified.

(11) Under s. 91.16(9), Wis. Stats., DATCP may withdraw its certification at any time if DATCP finds that the certified plan materially fails to meet applicable certification standards under s. 91.18, Wis. Stats.

### CONCLUSIONS OF LAW

(1) Based on Marquette County's certification that the attached county farmland preservation plan meets applicable certification requirements under s. 91.18, Wis. Stats., DATCP may certify that plan for up to 10 years.

(2) DATCP may make its certification contingent upon the county adoption of the certified plan text and maps, in the form certified, and contingent upon its adoption as part of the County comprehensive plan.

(3) Certification does not apply to plan amendments made after the certification date, unless DATCP certifies those amendments.

(4) DATCP may withdraw its certification at any time if DATCP finds that the certified plan text and maps materially fail to meet applicable certification standards under s. 91.18, Wis. Stats.

### ORDER

NOW, THEREFORE, IT IS ORDERED THAT:

(1) The attached Marquette County Farmland Preservation Plan text (November 5, 2015) and maps (October 2015) are hereby certified under s. 91.16, Wis. Stats., contingent upon county adoption of the plan, included as part of the County comprehensive plan, in the form submitted, before June 30, 2016.

(2) The certified farmland preservation plan area for Marquette County is titled "Farmland Preservation Area."

(3) This order takes effect on the date on which the county adoption of the plan text and maps, in the form submitted, takes effect.

(4) This certification expires at the end of the day on December 31, 2025.

Dated this 4th day of December, 2015.

STATE OF WISCONSIN,  
DEPARTMENT OF AGRICULTURE,  
TRADE AND CONSUMER PROTECTION

By Ben Brancel  
Ben Brancel, Secretary

Parties for Purposes of Review Under s. 227.53, Wis. Stats.:

Marquette County Zoning  
Tom Onofrey, Administrator  
77 West Park Street, Room 104  
Montello, WI 53949

Cc:  
Mark Roffers, Consultant

**MARQUETTE COUNTY PLANNING AND ZONING COMMITTEE RESOLUTION  
2015- 1**

**RECOMMENDING AN UPDATE TO THE  
MARQUETTE COUNTY COMPREHENSIVE PLAN**

WHEREAS, on October 18, 2005, the Marquette County Board of Supervisors adopted the Marquette County Comprehensive Plan under Section 66.1001(4), Wisconsin Statutes; and

WHEREAS, Section 66.1001(4), Wisconsin Statutes, establishes the required procedure for a county government to update a comprehensive plan once adopted, and Section 66.1001(2)(i) requires a comprehensive plan update at least once every ten years; and

WHEREAS, pursuant to Sections 91.10 and 91.14, Wisconsin Statutes, Marquette County is also required to adopt an updated farmland preservation plan by December 31, 2015; and

WHEREAS, Marquette County has prepared a ten year update to the Marquette County Comprehensive Plan; and

WHEREAS, Marquette County has also prepared an updated farmland preservation plan to replace the 1982 Marquette County Farmland Preservation Plan, under the guidance and following the recommendation of an ad hoc Farmland Preservation Plan Steering Committee; and

WHEREAS, as permitted under Section 91.10(3), Wisconsin Statutes, the County has elected to integrate its updated farmland preservation plan within its updated Marquette County Comprehensive Plan document; and

WHEREAS, the Planning and Zoning Committee held a public hearing on the update to the Marquette County Comprehensive Plan, in compliance with Section 66.1001(4)(d), Wisconsin Statutes, and following such hearing considered public comments; and

WHEREAS, the Planning and Zoning Committee has the authority and responsibility to recommend the update to the Marquette County Comprehensive Plan to the County Board, under Section 66.1001(4)(b).

NOW, THEREFORE, BE IT RESOLVED that the Planning and Zoning Committee of Marquette County hereby recommends that the County Board of Supervisors adopt an ordinance to constitute official County approval of the update to the Marquette County Comprehensive Plan.

Planning and Zoning Committee Resolution Adopted: December 2, 2015

*Mary Walters*  
Mary Walters, Chair       Yes      No

*Robert Goldsmith*  
Robert Goldsmith       Yes      No

*Jan Banicki*  
Jan Banicki       Yes      No

*James Sanders*  
James Sanders       Yes      No

*Karl Spath*  
Karl Spath       Yes      No

PLANNING AND ZONING COMMITTEE

Vote:         Yes;         No;         Abstain;         Absent

**ROLL CALL - COUNTY BOARD OF SUPERVISORS  
MARQUETTE COUNTY, WISCONSIN**

ROLL CALL

January 21, 2016 Session Resolution No. 3-2016

**MARQUETTE COUNTY CODE OF ORDINANCES  
AMENDMENT TO ADD CHAPTER 68 – MARQUETTE  
COUNTY COMPREHENSIVE PLAN**

BE IT RESOLVED that the Marquette County Board of Supervisors does ordain that the Marquette County Code of Ordinances be amended to include Chapter 68 Marquette County Comprehensive Plan as attached.

This amendment shall be made available for public inspection for two weeks prior to amendment of the Code.

<u>SUPERVISORS</u>	<u>YES</u>	<u>NO</u>
Banicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Borzick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Breitenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Buchholz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Floeter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gibeaut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Goldsmith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hebert	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Raddatz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sanders	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sheller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Skolarz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Snyder	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Spath	<input type="checkbox"/>	<input type="checkbox"/>
Thalacker	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Walters	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*absent*

ADOPTED   
DEFEATED

<u>VOTE TALLY</u>	
YES	<u>16</u>
NO	<u>0</u>
ABSENT	<u>1</u>
ABSTAIN	<u>0</u>

INTRODUCED BY:  
*May P. Walters*  
*John Banicki*

Committee Recommendation:  
Planning and Zoning

STATE OF WISCONSIN    )  
                                  ) SS  
County of Marquette    )

I, Gary L. Sorensen, County Clerk of Marquette County, Wisconsin do hereby certify that the above is a true and correct copy of the resolution passed by the Marquette County Board of Supervisors on this date.

1/21/2016    *Gary L. Sorensen*  
Date           Gary L. Sorensen, County Clerk

## CHAPTER 68 - COMPREHENSIVE PLAN

### 68.01 History and Background

### 68.02 Adoption of Comprehensive Plan

#### 68.01 History and Background

**A.** On October 18, 2005, the Marquette County Board of Supervisors adopted the Marquette County Comprehensive Plan under Section 66.1001, Wisconsin Statutes. Section 66.1001(4) establishes the required procedure for a county government to update a comprehensive plan once adopted, and Section 66.1001(2)(i) requires a comprehensive plan update at least once every ten years.

**B.** On July 20, 1982, the Marquette County Board of Supervisors adopted the Marquette County Farmland Preservation Plan under Chapter 91, Wisconsin Statutes. Pursuant to Sections 91.10 and 91.14, Wisconsin Statutes, Marquette County is required to adopt an updated farmland preservation plan by December 31, 2015.

**C.** Marquette County has prepared its ten year update to the Marquette County Comprehensive Plan and an updated farmland preservation plan, following procedures established by Wisconsin Statutes and a County Board approved public participation resolution. As permitted under Section 91.10(3), Wisconsin Statutes, the County has elected to integrate its updated farmland preservation plan within the Marquette County Comprehensive Plan document. The updated Plan has been prepared under the guidance and following the recommendation of the Planning and Zoning Committee and an ad hoc Farmland Preservation Plan Steering Committee.

**D.** On December 2, 2015, the Planning and Zoning Committee held a public hearing on the update to the Marquette County Comprehensive Plan, in compliance with Section 66.1001(4)(d), Wisconsin Statutes, and following such hearing considered public comments and recommended the update. Other County standing committees also provided their input throughout the process. The County Board has duly considered all committee recommendations.

#### 68.02 Adoption of Comprehensive Plan

**A.** The County Board of Marquette County, Wisconsin, formally adopted the document entitled "Marquette County Comprehensive Plan" and dated December 2, 2015 in the document footer, pursuant to Section 66.1001(4)(c), Wisconsin Statutes on January 21, 2016.

**B.** The Zoning Administrator shall publish an official copy of the Marquette County Comprehensive Plan and keep an official copy available for inspection in the Zoning Department office.

Date Passed: 1/21/16  
Date Effective: 2/4/16



State of Wisconsin  
Governor Scott Walker

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**Department of Agriculture, Trade and Consumer Protection**  
Ben Brancel, Secretary

January 25, 2016

Tom Onofrey, Administrator  
Marquette County Zoning  
77 West Park Street, Room 104  
Montello, WI 53949

Dear Tom:

Thank you for sending a copy of the resolution adopting Marquette County's Farmland Preservation Plan. This completes certification of the County's plan. Certification of the Farmland Preservation Plan expires on December 31, 2025.

We look forward to continuing to work with you on farmland preservation in Marquette County. Please call if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Katy Vosburg".

Katy Vosburg  
Land Management Section  
608-224-4621

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